

SENATE FILE 2054  
BY JOCHUM

**A BILL FOR**

1 An Act relating to the disposal and composting of organic  
2 waste.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455D.9, Code 2009, is amended to read as  
2 follows:

3 **455D.9 Land disposal of yard waste and organic waste —**  
4 **prohibited.**

5 1. ~~Beginning January 1, 1991, land~~ Land disposal of  
6 yard waste and organic waste as defined by the department  
7 is prohibited. However, yard waste and organic waste which  
8 has been separated at its source from other solid waste may  
9 be accepted by a sanitary landfill for the purposes of soil  
10 conditioning or composting.

11 2. The department shall assist local communities in the  
12 development of collection systems for yard waste and organic  
13 waste generated from residences and shall assist in the  
14 establishment of local composting facilities. Within one  
15 hundred twenty days of the adoption of rules by the department  
16 regarding yard waste and organic waste, each city and county  
17 shall, by ordinance, require persons within the city or county  
18 to separate yard waste and organic waste from other solid waste  
19 generated. Municipalities which provide a collection system  
20 for solid waste shall provide for a collection system for yard  
21 waste and organic waste which is not composted.

22 3. The department shall develop rules which define yard  
23 waste and organic waste and provide for the safe and proper  
24 method of composting. The rules adopted for a composting  
25 facility to be located on property owned by an applicant for  
26 a permit prior to July 1, 1992, when the property is located  
27 within twenty miles of a metropolitan area of two hundred fifty  
28 thousand or more, shall require that prior to the issuance  
29 of a permit for a composting facility, the applicant shall  
30 submit an economic impact statement to the department. For the  
31 purpose of this subsection, "*economic impact statement*" means an  
32 estimate of the economic impact of the siting of a composting  
33 facility at a specific location on affected property owners.

34 4. State and local agencies responsible for the maintenance  
35 of public lands in the state shall give preference to the use

1 of composted materials in all land maintenance activities.

2 5. This section does not prohibit the use of yard waste or  
3 organic waste as land cover or as soil conditioning material.

4 6. This section prohibits the incineration of yard waste and  
5 organic waste at a sanitary disposal project.

6 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
7 3, shall not apply to this Act.

8 EXPLANATION

9 This bill relates to the disposal and composting of organic  
10 waste.

11 The bill prohibits the land disposal of organic waste, as  
12 defined by the department of natural resources, and allows  
13 such waste which has been separated at its source from other  
14 solid waste to be accepted by a sanitary landfill for soil  
15 conditioning or composting purposes. The bill requires the  
16 department to assist local communities in the development of  
17 collection systems for organic waste generated from residences  
18 and assist in the establishment of local composting facilities.  
19 The bill requires the department to adopt rules which define  
20 organic waste and provide for the safe and proper method of  
21 composting. The bill does not prohibit the use of organic  
22 waste as land cover or as soil conditioning material. The  
23 bill prohibits the incineration of organic waste at a sanitary  
24 disposal project.

25 The bill may include a state mandate as defined in Code  
26 section 25B.3. The bill makes inapplicable Code section 25B.2,  
27 subsection 3, which would relieve a political subdivision from  
28 complying with a state mandate if funding for the cost of  
29 the state mandate is not provided or specified. Therefore,  
30 political subdivisions are required to comply with any state  
31 mandate included in the bill.